



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DIETMAR SPANKE  
SERIAL NO.: 10/583,354

FILED: Jan. 31, 2007

FOR: Filling Level Measurement Method ...

CONFIRMATION: 9789

GROUP ART UNIT: 2856

EXAMINER: A. T. Devito

ATTY. REFERENCE: SPAN3008/FJD

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450  
Alexandria, VA 22313-1450

*Sir:*

Applicant hereby appeals to the Board of Appeals from the decision dated: **June 29, 2009** of the Primary Examiner finally rejecting claims: **11, 17-18 and 20**

The Appeal Fee is:

enclosed       \$540.       \$270.  
 not required (fee paid in prior appeal in this application).  
 requested to be charged to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.  
 Small Entity Status is claimed.  
 The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

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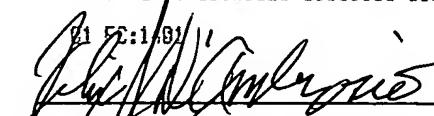
Customer Number  
Phone: (703) 683-0500

DATE: Nov. 30, 2009

*Respectfully submitted,*

12/01/2009 SZEWDIE1 00000051 10583354

540.00 OP

  
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